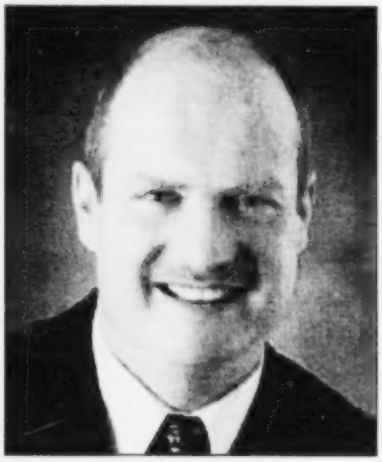
The New Relationship Review

BRITISH COLUMBIA
The Best Place on Earth

Update from B.C.'s Ministry of Aboriginal Relations and Reconciliation **SUMMER 2007**



Honourable Michael de Jong
Minister of Aboriginal Relations and Reconciliation

Message from the Minister

Last year proved a dramatic, historic time in the on-going New Relationship between government and First Nations. Today we continue to strive together to close the gaps that separate Aboriginal people from other British Columbians.

We have made a strong beginning so far to keep the New Relationship moving forward. First Nations representatives on the board of the $100 million New Relationship Trust have gathered input from Aboriginal communities about how to use the funds.

I've had the pleasure and privilege of working with members of the First Nations Leadership Council. I have spoken frequently with members of the major First Nations organizations in British Columbia: the First Nations Summit, the BC Assembly of First Nations, and the Union of British Columbia Indian Chiefs.

For me, the New Relationship represents opportunity and a fresh perspective for moving forward together. In fact, I see the future in terms of opportunities instead of problems. We are determined to keep the momentum of the New Relationship going and to take advantage of a historic opportunity to build a better future for all British Columbians.

Reconciliation in Action

British Columbia is building a New Relationship with First Nations based on mutual respect, reconciliation and recognition of Aboriginal rights and title.

Reconciliation is about coming to an understanding with First Nations to redress hardships endured by Aboriginal people as part of the legacy of a tragic history.

Late in 2006 the Province of British Columbia initiated landmark reconciliation settlements with First Nations and began to address an additional point of reconciliation with significant symbolic importance.

Esquimalt and Songhees Nations

Last November the Province of British Columbia, the Government of Canada, Esquimalt and Songhees First Nations initialled a proposed settlement to resolve a claim relating to a parcel of land in downtown Victoria where the British Columbia legislative buildings stand.

The agreement has been ratified by the Songhees and Esquimalt First Nations. The settlement releases Canada and British Columbia from all claims to that parcel of land, including the grounds of the B.C. Legislature.

The settlement relates to a lawsuit filed in 2001 alleging that Canada and British Columbia breached certain duties owed to the First Nations. The claim alleges the land was originally set aside as an Indian reserve in 1854 by Governor James Douglas, who

Aboriginal Relations and Reconciliation Minister Michael de Jong greets Chief Robert Sam of the Songhees First Nation

Treaty Update

The ratification of the Tsawwassen and Maa-nulth First Nations' Final Agreements will be taking place in the upcoming months.

The Maa-nulth First Nations, located on the west coast of Vancouver Island, represent five First Nations – the Ucluelet First Nation, Huu-ay-aht First Nations, Toquaht Nation, Ka:'yu:'k't'h'/Che:k'tles7et'h' First Nations and Uchucklesaht Tribe.

In addition, four First Nations have signed Agreements in Principle – the Yale, Yekooche, Sliammon and In-SHUCK-ch First Nations.

The Constitution of Canada protects but does not define Aboriginal rights. This leads to disagreements and uncertainty about what the Aboriginal right is and how it applies in specific situations.

When disagreements arise, the courts provide one means of seeking resolution.

However, litigation can take years to conclude and carry substantial cost with no guarantee of a satisfactory outcome for anyone.

A treaty, as a negotiated agreement, can provide certainty by defining Aboriginal rights and where they apply specifically.

By conferring certainty of land and resource ownership, treaties support development for First Nations and neighbouring communities by strengthening local economies and reassuring investors.

then took it back for the legislature site without obtaining the surrender of the reserve.

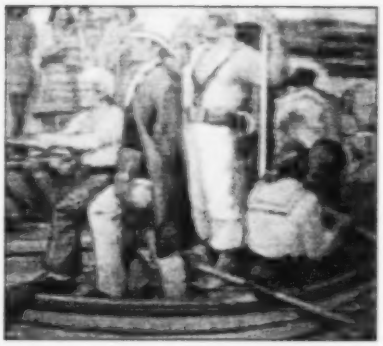
Canada and British Columbia will pay a financial settlement of $31.5 million to be shared equally between the Songhees and Esquimalt First Nations.

Murals in the British Columbia Legislature

Between 1933 and 1935, as a gift to the Province from the then-Provincial Secretary, George Southwell painted four murals in the lower rotunda of the provincial legislature buildings.

At the time, the murals were seen to be representative. The legislature buildings were largely the domain of white, colonial-minded men and few people would have questioned the way Aboriginal people were depicted in the murals.

Today, our values have changed. As a society, and as Canadians, we have built a country that is tolerant of others and protects the rights and freedoms of individuals, no matter what their race or ancestry. Governments have been told by First Nations leaders again and again, that the content of these murals is offensive to a significant portion of B.C.'s Aboriginal population.



In 2001, an independent five-person advisory panel with experts on art history and Aboriginal art concluded that the murals should be removed and relocated.

The artistic and historical value of these paintings is not at issue – it is where they are located. We have heard the concerns about the removal of art from a public building and for some it is seen as controversial. But, as the 2001 report concluded, the "value of the art and the [debate over] historical accuracy of the murals is less important than the hurt that they cause." The legislature is not an art gallery or museum. Every citizen has the right to feel welcome in the building that represents a place where democracy is upheld for all British Columbians.

The Province has committed to work with First Nations and art experts on removing and relocating the murals. The work of the original advisory panel, their rationale and recommendations will form the basis on how to proceed. A process will also be established to make recommendations on what will replace the murals.

On April 24, 2007, members of government and the opposition voted to implement the report's recommendations to remove and relocate four murals.

Tsay Keh Dene and Kwadacha First Nations

In December the Province and BC Hydro reached Agreements-in-Principle with the Tsay Keh Dene Band and Kwadacha Nation to address impacts of flooding from the Williston Reservoir on these Peace River Valley First Nations, located north of Mackenzie and southwest of Fort Nelson.

Construction of the WAC Bennett Dam and Williston Reservoir in the late 1960s brought great hardship on Tsay Keh Dene Band and Kwadacha Nation. The reservoir flooded the main settlement, dislocating many community members.

The First Nations lost hunting, trapping and fishing areas. Traditional gathering sites, burial grounds, summer homes and a church were all permanently submerged.

The Tsay Keh Dene and Kwadacha First Nations filed lawsuits against B.C. in 1999 and 2001 respectively, claiming damages from the impact of the construction and operation of the WAC Bennett Dam.

Once implemented, the agreements will provide time-limited payments of approximately $14 million to each First Nation and on-going annual payments of approximately $1.9 million to the Tsay Kay Dene and $1.5 million to the Kwadacha with future adjustments for inflation. Further commitments include funding for health and heritage studies and contracting opportunities totalling approximately $11 million for both communities.

The litigation against the Province and BC Hydro respecting the creation of the Williston Reservoir and the hydroelectric generation facilities will be settled by the final agreements.

Minister de Jong and Chief Councillor Judith Sayers signed the protocol

Reconciliation Protocol Signed

The Province and Hupacasath First Nation signed a Reconciliation Protocol to strengthen their growing relationship in a ceremony that included almost $1 million in funding for the Port Alberni-area band.

"We are building a New Relationship with First Nations based on principles of mutual respect, reconciliation and recognition of Aboriginal rights and title," said Minister of Aboriginal Relations and Reconciliation Michael de Jong. "This protocol will benefit the entire Port Alberni region."

De Jong and Hupacasath First Nation Chief Councillor Judith Sayers met at the House of Gathering on March 30, where they were joined by many community members and guests. "The Reconciliation Protocol includes resources that will enable the implementation of the community's vision and economic development strategy, including tourism and energy infrastructure," said Sayers. "It develops a process to resolve past grievances."

Over half the funding will support community and economic development, as well as resolution of issues around natural resources. Almost $450,000 will support development of green energy through a run-of-river hydroelectric project.

BRITISH COLUMBIA ActNow

ActNow BC encourages all British Columbians to make healthy lifestyle choices.

ActNow BC

British Columbia's Aboriginal people will benefit from a $6-million ActNow BC program that will aim to improve their health.

The funding will enable the National Collaborating Centre for Aboriginal Health in Prince George to work with the BC Assembly of First Nations, First Nations Summit, and Union of BC Indian Chiefs to build a health program specifically designed for Aboriginal communities throughout the Province.

The funding supports the First Nations Health Plan announced by the Province of British Columbia and the First Nations Leadership Council last November.

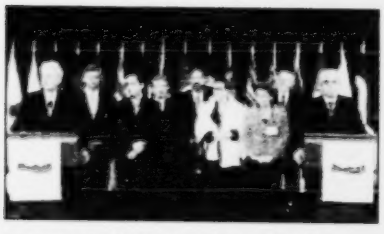
ActNow BC is a cross-government initiative that encourages British Columbians, including Aboriginal citizens, to make healthy lifestyle decisions to be more active, eat healthier foods, live tobacco-free and make healthy choices during pregnancy.

ActNow BC's goal is to lead North America in healthy living and physical fitness and to be the healthiest jurisdiction ever to host an Olympic and Paralympic Winter Games.

Summit Sharpens Focus on Aboriginal Health

The first National Summit on Aboriginal Health, held in Vancouver last November, resulted in the reaffirmation of commitments to close the health gap that exists between Aboriginal people and other Canadians by 2015.

"The need to improve the health of Canada's First Nations, Inuit and Métis peoples is a priority of all Canadians, and we all share the responsibility to take action," said Premier Campbell. "The broader health effects of an aging population and chronic conditions like diabetes have an even greater impact for Aboriginal communities, families, youth and Elders, so we must act quickly and co-operatively."



Premier Gordon Campbell and National Chief Phil Fontaine of the Assembly of First Nations co-chaired the summit.

The summit brought leaders from First Nations, Inuit, and Métis communities across Canada together with representatives of the federal, provincial and territorial governments to identify outcomes.

B.C. Launches First-Ever Aboriginal Health Plan

Last November the First Nations Leadership Council and the Province of British Columbia released a plan to improve the health status of First Nations in British Columbia.

For highlights of the First Nations Health Plan, check: **www.healthservices.gov.bc.ca/cpa/publications/first_nations_health_implementation_plan.pdf**.

Agreements Help Build Relationship

The Province and Blueberry River First Nations (BRFN) have achieved four long-term agreements that establish ways to work together and support economic certainty for the resource industry in B.C.'s northeast region, Premier Gordon Campbell announced on April 17, 2007.

The BRFN is a Treaty 8 First Nation. There are about 400 members and their reserve is located about 80 km northwest of Fort St. John.

The four land and resource management agreements set out how the Province and the BRFN will consult in land-use planning, and the oil and gas, mining/mineral and forestry sectors.

At a ceremony in the legislature, Premier Gordon Campbell and Blueberry River First Nations Chief Norman Yahey celebrated four agreements that will bring increased certainty for resource industries in the northeast.

In June 2006, the Province also signed an Economic Benefits Agreement with the BRFN for members to share in the benefits of resource activity and play a greater role in the regional economy. To date, more than $6 million has been provided through the Economic Benefits Agreement.

For further information contact:

Ministry of Aboriginal Relations and Reconciliation
PO Box 9100, Stn Prov Govt
Victoria, B.C. V8W 9B1

Phone: 1-800-880-1022
E-mail: abrinfo@gov.bc.ca
www.gov.bc.ca/arr